

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 16, 1958  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. WILLIAM E. FOLEY, Church of the Good Shepherd, Exposition Boulevard and Bowman Road.

Councilman White moved that the Minutes of the Council meeting of January 9, 1958, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

REV. H. P. WADDILL, 6207 Betty Cook Drive, was spokesman for a group of property owners in Walnut Hills, asking for a sewer system in this area as an emergency, as there were from 40-50 homes with lots of children, and there was raw sewage running in the yards and unsanitary conditions existing. The Mayor asked for information about the subdivision, refund contracts, etc. The Superintendent of the Water Department estimated it would take at least \$65,000 or \$75,000 to install a system, and explained what would be necessary; and that this section was not included in the program set out in the last bond program. He stated the area needed a more detailed engineering study and recommended one of the engineering firms' doing the work. The Mayor explained to Rev. Waddill and the group the fiscal policy the city had established, and pointed out that the subdivider assumed the responsibility of the lift station. The Mayor suggested that the City Attorney and City Manager determine if Mr. Cook had any responsibility in this matter and bring back a report to the Council as soon as possible. He also suggested if the City did not have the necessary engineers, that one of the firms would be employed to make a survey and get started as soon as possible. MR. VERNON COOK, subdivider, stated he had met all the requirements

of the city at the time the subdivision was approved. Later he stated if he were responsible for putting in the lift station he would stand for his responsibility, but he did not think it was right to go back five years and be required to put it in. Discussion of another large tract that was being planned in this area was held, and whether the proposed sewer system would be a part of that area or not. Councilman White moved that the City Manager be instructed to engage the necessary engineers and expedite this work as soon as possible; and also to instruct that the City Attorney be requested to review the developer's contract and to look over the fiscal policy generally and see what has been provided under it in the past and in the future and advise the Council; and then go from there. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Along with the discussion on the sewer problems in Walnut Hills, one gentleman made a complaint of the sanitary fill in the area, and stated that he was spraying it at times himself to keep down the flies. The Mayor stated the matter would be investigated and taken care of; and at any time there was a complaint for the matter to be brought to the City Manager's attention. The City Manager stated this was the first time there had been any complaint from anybody.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH JAFFE & MARTIN CONTRACTORS; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The Mayor announced that the ordinance had been finally passed.

The Assistant City Manager submitted a recommendation for extension of the contract with SAFEWAY STEEL PRODUCTS, INC., for providing for about 600 more seats for the Auditorium. Safeway Steel Products, Inc., was low bidder when the first ramps were constructed, and the price for this will be \$5,563. Mr. Sutherland was present and explained the new plan. He also recommended a demountable device to cover the orchestra pit, which would be \$3,816. Councilman Long moved that the extension of this contract be granted to include the additional ramps and the demountable cover for the orchestra pit. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The City Manager gave a brief financial report on the amount of money for the Auditorium, and stated he would like to go over the finances with the Council in the near future. The Council set a tentative date for this matter for 2:30 P.M., January 30,

MR. WOLF JESSEN, Architect, for the Auditorium, reported on the stage equipment which had been discussed with the Symphony group, and with the Technical Director from the University, Mr. Neil Whiting, who had helped design the stage specifications. Mr. Jessen recommended the low bidder, JOSEPH VASCONCELLOS, INC., Burbank California, on the Stage Equipment only, in the amount of \$22,765.00. Councilman Long moved that the low bid as recommended by the Architects, be accepted. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

MR. ABLES demonstrated an opera chair for the Auditorium. The Architects had this chair under study. It was thought possibly that new bids would be called for on the portable chairs; but in the meantime the Mayor asked that the various groups be invited in to see this different chair submitted by Mr. Ables.

Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING SECTION 1 OF AN ORDINANCE ENTITLED "AN ORDINANCE GRANTING TO ROY VELASQUEZ, DOING BUSINESS AS ROY'S TAXI, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED", FINALLY PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON THE 20TH DAY OF SEPTEMBER, 1951, RECORDED IN ORDINANCE BOOK "Q", AT PAGES 666-671 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 1 THEREOF PRESCRIBING THE NUMBER OF TAXICABS AUTHORIZED TO BE OPERATED, PROVIDING FOR PUBLICATION AND THREE (3) SEPARATE READINGS.

The ordinance was read the second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: Councilman Pearson

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING: (1) LOTS 17, 18, 19 AND 20, BLOCK 9 HYDE PARK ANNEX ADDITION FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (2) SOUTH 120 FEET OF LOT 4, BLOCK 2, GEORGE L. ROBERTSON SUBDIVISION FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; (3) LOTS 3 AND 4, BLOCK B, BOWLING GREEN ADDITION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT; AND (4) LOTS 2, 3, 4, 5, 6, 7, 8 AND 9, DIXIE TERRACE FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White,

carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council went over the following CITY OF AUSTIN POLICE CAR SPECIFICATIONS, as submitted by Assistant Chief BOB MILES:

"City of Austin  
Police Car Specifications  
January 15, 1958

"1. It is the intent of these specifications to describe the minimum requirements for Police Cars to be purchased by the City of Austin. All parts not specifically mentioned which are necessary or which are regularly furnished, in order to provide a complete unit, shall be furnished by the successful bidder and shall conform in strength, quality of materials, and workmanship to that usually provided by the engineering practice indicated in these specifications at the bid price. While the purpose of the specifications is to indicate certain minimum requirements in the way of capacity, strength, construction and other details, their use is not intended to relieve the City of all responsibility in the selection of equipment which may be considered most suitable for the service involved. In other words, even though proposals are received based on furnishing equipment which may meet the minimum requirements indicated, it is not intended that this alone shall limit the contract award to be recommended, but that other factors shall be considered together with any experience the City may have had with equipment of the same type or manufacture.

"2. In order that the City of Austin may be assured of being able to maintain and repair, promptly, equipment purchased, there shall be a repair shop within the City of Austin for the make and type of equipment on which bidders are quoting. For this purpose bidding will be restricted to agencies whose owners have demonstrated an ability to continue to supply service and parts during the service life of the equipment purchased. In evaluation of bids consideration will be given to proven ability of the bidder to supply parts and service for the equipment on which bid is quoted.

"3. The City of Austin reserves the right to reject any or all bids.

"4. A bid in which a vendor has failed to show without doubt that he is quoting on regularly manufactured equipment will not be considered. Specifications including printed literature or a signed affidavit describing the particular equipment (make, model, and manufacturers rating) bid on, must be included with an acceptable bid.

"5. Performance Tests: Cars bid upon must meet the following minimum acceleration tests, failing in which, bids cannot be accepted by the City. These tests will be conducted by the Police Department and a representative of the vendor, after bids are received and publicly opened by the City.

A. Cars tested shall be comparable to equipment on which bid was submitted and shall be tuned up for maximum performance which shall also permit a smooth idle and a smooth cruising speed of ten (10) M.P.H.

"B. The acceleration tests shall consist of a car accelerating from a standing start to sixty (60) miles per hour in a minimum of ten (10) seconds.

"C. Tests shall be made at a suitable place to be designated by the Police Department. Time will be checked by Police Department stop watch.

"D. Four (4) men of average weight shall ride in each car.

"E. Two (2) tests shall be made with each car, one driven by a Police Department driver and one by a representative of the vendor.

"F. If anything unforeseen happens during the tests, it may be re-run at the discretion of the Police Driver and the vendor's representative.

#### "DETAILED SPECIFICATIONS

"6. This Police Car shall be a four (4) door sedan. Must be Chevrolet, Ford or Plymouth.

"7. COLORS: To be specified from standard single colors of the successful bidder.

"8. MODEL: The vehicle shall be the latest production model and shall be equipped with all the latest standard equipment and any additional items specified herein.

"9. MOTOR: Shall be not less than eight (8) cylinders, not less than three hundred and eighteen (318) cubic inches piston displacement and not less than two hundred and fifty (250) gross horsepower with dual exhaust. To be equipped with four (4) barrel carburetor.

"10. OIL FILTER: Motor to be equipped with an oil filter using replaceable cartridge of a type recommended by vehicle manufacturer.

"11. AIR CLEANER: Carburetor to be equipped with an air filter using a replaceable element. (Dry or oil bath type.)

"12. BATTERY: Car to be 12 volt electrical system and equipped with a 12 volt 70 ampere hour battery.

"13. TRANSMISSION: The transmission shall be of the optional acceleration automatic type containing not less than three (3) speed ratios forward and one (1) reverse. Must be of such construction as to give minimum maintenance costs under heavy use with occasional heavy bursts of acceleration.

"14. BRAKES: Brake assemblies shall be adequate in design, construction, size and type of material for special police cars in severe police service. Regularly advertised larger police special brake assemblies shall be furnished and installed. Brakes as furnished on regular passenger cars of the same passenger car line will not be acceptable.

"15. TIRES: Tires first line tubeless and shall be 6.70 x 15 - 4 ply or 7.50 x 14 - 4 ply minimum. Tire size and capacity must be suitable for car bid on. If car weight requires a larger size, it shall be of the same quality as listed in the above specifications. Spare tire and wheel shall be included.

"16. SUSPENSION: Cars shall be equipped with heavy duty front and rear

suspension. Show optional or kit number furnished.

"17. SHOCK ABSORBERS: Cars shall be equipped, front and rear, with heavy duty shock absorbers. Show optional or kit number furnished.

"18. SEATS: Front seat cushion and seat back must be heavy duty construction using heavy duty seat cushion springs, with foam rubber cushion pad. Rear seat cushion and back to be standard furnished in four (4) door sedans of the same passenger car line as that bid on.

"19. SAFETY BELTS: Standard safety belts of the type regularly furnished by the manufacturer of the car bid on will be furnished for the driver and one passenger in the front seat. To be installed in the manner recommended by the manufacturer.

"20. SAFETY KIT: Vehicles shall be equipped with standard Safety Kit consisting of padded dash and dual padded sun visors. To be factory installed or equivalent.

"21. ARM RESTS: Arm rests of a type regularly furnished by the car manufacturer shall be furnished and installed on both front doors.

"22. WINDSHIELD WIPERS: Cars shall be equipped with dual windshield wipers either variable speed electric or vacuum booster type.

"23. WINDSHIELD WASHERS: Windshield washers of the type regularly furnished by the manufacturer of the car bid on will be furnished and installed.

"24. DIRECTIONAL LIGHTS: Self-cancelling directional lights as regularly furnished by the manufacturer of the car bid on shall be furnished and installed.

"25. HEATER: Cars shall be equipped with first quality, largest size, fresh air heater as regularly furnished by the manufacturer of the car bid on and must be suitable for the car. All heaters must be complete with defrosters. Heater and defroster to be factory installed or equivalent.

"26. STEERING WHEEL: The steering wheel shall be equipped with a suitable horn ring as regularly furnished by the manufacturer of the car bid on.

"27. HORNS: Dual horns of the type regularly furnished by the manufacturer of the car bid on shall be furnished and installed.

"28. BUMPERS AND GUARDS: Front and rear bumpers and grill guards as regularly furnished by the manufacturer of the car bid on will be furnished and installed.

"29. SERVICE POLICY: A standard service policy will be furnished with each car.

"30. INSPECTION STICKER: Each car to have a current Motor Vehicle Inspection Sticker affixed.

"31. DELIVERY: Cars to be delivered to the City of Austin in Austin, Texas. Please specify expected delivery time in bid."

Four changes were made in the specifications -- (1) No. 3 Item, "The City of Austin reserves the right to reject any or all bids" to be placed at the last

of the specifications. (2) Item 4, it was suggested that the bidder would state if there were anything extra added. (3) Item 15 - TIRES. "Speedometer to be collabrated to suit tire and wheel size" to be added; and (4) Item 29, SERVICE POLICY. "Each car should receive the customary "make-ready" inspection before delivery." to be added.

MR. EDDIE SIMMONS was present and made suggestions as to the specifications. The Mayor asked that Assistant Chief Miles go over the specifications with Mr. Simmons, Armstrong-Johnson, Mr. Chas. Nash, and Mr. C. B. Smith, and then go on and advertise them, giving about 10 days. Mr. Simmons stated it would take longer than 10 days. Assistant Chief Miles stated before they gave 14 days' notice.

Councilman Pearson submitted a request of HARRY WILDER for consideration of the sale of some property on Koenig Lane and Woodrow. The Council decided that the best thing to do would be to have Mr. Wilder come in and make the City Manager an offer, and Councilman Pearson stated he would inform Mr. Wilder to do that.

Councilman Palmer moved that the contract for purchase of one 4-Door Sedan, 8 cylinder car be awarded to the low bidder, ARMSTRONG-JOHNSON in the amount of \$1,509.00. (This was the car for the Fire Prevention Department.) The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Council went over the various requests for permission to do earth work on Lake Austin. Councilmen Palmer and White reported on their inspections of the sites. Councilman Palmer moved that permission be granted to the following, in accordance with their recommendations:

MARION FOWLER - to excavate and level his property on Lake Austin near Connors' Branch.

BEN F. MEWIS - alteration of shore line by extending concrete block wall.

CHARLES LOWE -

FRED EBY, JR. - permission to excavate and build wall

MRS. ARTHUR MABERRY

J. F. KRAMER, JR. - permission to clean out boat slip, and use the dirt to fill in the rear part of his property.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Later on in the meeting, Councilman Palmer moved that A. A. MACULUSO be granted permission to level his property out with the rock wall as outlined. The motion, seconded by Councilman White, carried by the following vote:



Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent from Council Room at the time the vote was taken: Councilman Pearson

Action on Councilman Palmer's motion to grant DR. GEO. F. BOHUSLAV permission to put his retaining wall where the water and earth meet, and that he not enlarge on the fill or be permitted to fill on the location as shown as No. 5 on his sketch; but that he be permitted to excavate from the lake to back fill on Island No. I, was postponed for further information.

Enforcement of the Ordinance was discussed. As it is found that people are altering their shore lines without permission, the Mayor stated they should be stopped and requested to make application for permission.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Glenn W. Kennedy, the same being Lots 8a and 9a, Lakeland Park Addition, as listed in the Travis County Deed Records, and hereby authorized the said Glenn W. Kennedy to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocations is retained if, after hearing, it is found by the City Council that the said Glenn W. Kennedy has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
January 9, 1958

"Mr. W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Glenn W. Kennedy, owner of a piece of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being Lots 8a and 9a, Lakeland Park Addition, as listed in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately 24 feet beyond the normal

high water level. The construction details meeting all requirements, I, therefore, recommend that if Glenn W. Kennedy is granted his request by the City Council, that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonable clean at all times.

"Respectfully submitted,  
(Sgd) J. C. Eckert  
Building Inspector"

The motion, seconded by Councilman Palmer, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Anthony A. Macaluso, the same being Lot 36, Tarrytown River Oaks subdivision, Section 2, as listed in the Travis County Deed Records, and hereby authorizes the said Anthony A. Macaluso to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations, and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocations is retained if, after hearing, it is found by the City Council that the said Anthony A. Macaluso has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
January 2, 1958

"Mr. W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Anthony A. Macaluso, owner of a piece of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being Lot 36, Tarrytown River Oaks subdivision, Section 2, as listed in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately 28 feet beyond the normal high water level. The Construction details meeting all requirements, I, therefore, recommend that if Anthony A. Macaluso is granted his request by the City Council, that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,  
(Sgd) J. C. Eckert  
Building Inspector"

The motion, seconded by Councilman Palmer, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the extension of a boat dock on the property owned by Andrew S. Patton, the same being 0.32 acres of land out of the Thomas B. Gray Survey No. 2, as listed in the Travis County Deed Records, and hereby authorizes the said Andrew S. Patton to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the extension of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocations is retained if, after hearing, it is found by the City Council that the said Andrew S. Patton has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
January 14, 1958

"Mr. W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Andrew S. Patton, owner of a piece of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being 0.32 acres of land out of the Thomas B. Gray Survey No. 2, as listed in the Travis County Deed Records, for permission to extend his present boat dock approximately 7 feet, the total projection out into the lake being approximately 32 feet beyond the normal high water level. The construction details meeting all requirements, I, therefore, recommend that if Andrew S. Patton is granted his request by the City Council, that it be subject to the following conditions:

- "(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.
- "(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.
- "(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.
- "(4) That all structures extending out into the Lake be constantly kept in a

state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,  
(Sgd) J. C. Eckert  
Building Inspector"

The motion, seconded by Councilman Palmer, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in FRONTIER TRAIL, from a point 100 feet north of Cactus Lane to Pack Saddle Pass, the centerline of which gas main shall be  $6\frac{1}{2}$  feet west of and parallel to the east property line of said FRONTIER TRAIL.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(2) A gas main in PACK SADDLE PASS, from Frontier Trail to Allred Lane, the centerline of which gas main shall be  $6\frac{1}{2}$  feet west of and parallel to the east property line of said PACK SADDLE PASS.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(3) A gas main in CIMARRON TRAIL, from Pack Saddle Pass to Cactus Lane, the centerline of which gas main shall be  $6\frac{1}{2}$  feet south of and parallel to the north property line of said CIMARRON TRAIL.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(4) A gas main in CACTUS LANE, from Cimarron Trail southerly 438 feet, the centerline of which gas main shall be  $6\frac{1}{2}$  feet east of and parallel to the west property line of said CACTUS LANE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(5) A gas main in REDD STREET, from a point 159 feet south of Pack Saddle Pass to a point 142 feet north of Pack Saddle Pass, the centerline of which gas main shall be  $6\frac{1}{2}$  feet south of and parallel to the north property line of said REDD STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(6) A gas main in NEVADA PATH, from Frontier Trail, easterly to end, the centerline of which gas main shall be  $6\frac{1}{2}$  feet south of and parallel to the north property line of said NEVADA PATH.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(7) A gas main in WHELESS LANE, from a point 380 feet west of Friendswood Road westerly 1196 feet, the centerline of which gas main shall be  $6\frac{1}{2}$  feet south of and parallel to the north property line of said WHELESS LANE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(8) A gas main in TILLERY STREET, from a point 75 feet south of Holton Street northerly 265 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said TILLERY STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(9) A gas main in LOTT AVENUE, from a point 220 feet east of the intersection of Lott Avenue and Tannehill Street easterly 80 feet, the centerline of which gas main shall be  $6\frac{1}{2}$  feet south of and parallel to the north property line of said LOTT AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(10) A gas main in ROBERTS AVENUE, from a point 90 feet east of Clawson Road, easterly 104 feet, the centerline of which gas main shall be  $6\frac{1}{2}$  feet south of and parallel to the north property line of said ROBERTS AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(11) A gas main in BRAZOS STREET, from a point 47 feet south of East 9th Street southerly 87 feet, the centerline of which gas main shall be 16 feet east of and parallel to the west property line of said BRAZOS STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet

(12) A gas main in EAST 8TH STREET ALLEY, from Brazos Street easterly 187 feet, the centerline of which gas main shall be  $9\frac{1}{2}$  feet south and parallel to the north property line of said EAST 8TH STREET ALLEY.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named and said maps or plans have been considered by the Director of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

(1) An underground telephone conduit in BURNET ROAD from White Horse Trail to U.S. Highway No. 183, the centerline of which underground telephone conduit shall be 20 feet east of and parallel to the west property line of said Burnet Road.

(2) An underground telephone conduit crossing U.S. HIGHWAY NO. 183, from the point of intersection of a line 10' north of the easterly prolongation of the new south right of way line of said U. S. Highway No. 183 with a line 20 feet east of and parallel to the west property line of said Burnet Road, in a northerly direction to the point of intersection of the northeasterly prolongation of the northwest right of way line of said U. S. Highway No. 183 with a line 3' east of the west right of way line of F.M. Highway No. 1325.

(3) An underground telephone conduit in F.M. HIGHWAY NO. 1325, from U. S. Highway No. 183 in a northerly direction 40 feet, the centerline of which underground telephone conduit shall be 3 feet east of and parallel to the west property line of said F. M. Highway No. 1325.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The City Manager submitted the following:

"January 15, 1958

"From: S. Reuben Rountree, Jr.  
Director of Public Works      "To: W. T. Williams, Jr., City Manager

"Subject: Shelter House and Wading Pool at Northeast Park - Contract No. 57-C-44

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, January 14, 1958, for the construction of a shelter house and wading pool at Northeast Park - Contract No. 57-C-44.



	Base Bid Concrete Block Large Pool (25'x50')	Alternate No.1 ConcreteBlock Small Pool (20'x40')	Alternate No.2 Field Stone Large Pool (25'x50')	Alternate No.1 & 2 Field Stone Small Pool (20'x40')
Ray L. Wimberly	9,062.00	8,225.00	10,062.00	9,225.00
Jones & Hazeltine	9,525.00	9,150.00	10,400.00	10,025.00
John R. Andrews	10,842.00	10,520.00	11,442.00	11,120.00
Maufrais Bros.	10,900.00	10,300.00	11,700.00	11,100.00
Jackson & Cullen Const. Co.	12,950.00	12,450.00	15,230.00	14,730.00
Giesen & Latson Const. Co.	16,100.00	15,400.00	16,800.00	16,100.00

"I recommend that Ray L. Wimberly, with his low bid of \$8,225.00 for the concrete block shelter house and 20' x 40' pool, be awarded the contract for this project."

The Council discussed the shelter house and wading pool at Northeast Park, Contract No. 57-C-44. Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 14, 1958, for the construction of a shelter house and wading pool at Northeast Park - Contract No. 57-C-44; and,

WHEREAS, the bid of Ray L. Wimberly in the sum of \$10,062.00 for the construction of a field stone shelter house and 25' x 50' pool, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Ray L. Wimberly in the sum of \$10,062.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Ray L. Wimberly.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF

THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the east side of South Congress Avenue as a private gasoline plant consisting of a 1000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Hopf Wilbert Vault Co., and is designated as E. R. Hopf 2.23 acre tract in the Isaac Decker League, of the City of Austin, Travis County, Texas, and hereby authorizes the said Hopf Wilbert Vault Co. to operate a private gasoline plant consisting of a 1000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no

gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Hopf Wilbert Vault Co. has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
January 16, 1958

"Mr. W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Hopf Wilbert Vault Co., through their agent, E. R. Hopf, for permission to operate a private gasoline plant consisting of a 1000 gallon underground tank and electric pump for the sole purpose of servicing their own motorequipment and from which no gasoline is to be sold, upon property located on the east side of South Congress Avenue, which property is designated as E. R. Hopf 2.23 acre tract in the Isaac Decker League in the City of Austin, Travis County, Texas, and locally known as 4511 South Congress.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,  
(Sgd) J. C. Eckert  
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Pearson moved that MARION FOWLER be granted permission to construct boat docks on his property on Lake Austin near Connors' Branch. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Director of Recreation displayed plans for the East District Park located between 12th Street, Oak Springs Drive and Springdale Road. He recommended putting in the park roads, a water system, general park lighting, shelter house, playground apparatus, picnic grounds, and individual picnic units with fire places. This was estimated at \$50,000. He recommended future development to include a swimming pool, wading pool, tennis courts, baseball diamonds, and damming up Tannehill Branch Creek. The Council thought the wading pool should be put in this year. Mr. Sheffield was going to get with the committee and go over the plans. It was also suggested that a fence be put around the Cemetery.

There being no further business, the Council adjourned at 6:00 P.M., subject to the call of the Mayor.

APPROVED

Tom Miller  
Mayor

ATTEST:

Elvis Hoosley  
City Clerk